IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12111 of 2004

Between:

Smt. N.Vijaya Kumari W/o. Srisailam
R/o.3-5-1091/9, Venkateshwara Colony Naraynaguda, Hyderabad.

..... PETITIONER

AND

1 The Commissioner, Municipal Corporation of Hyderabad TankBund Road, Hyderabad.
2 The Deputy Commissioner, Municipal Corporation of Hyderabad, Sardar Mahal, Charminar, Hyderabad.
3 Mr.Bhagwandas S/o. notknown tothe petitioner
R/o. Opposite House of premises No.16-2-152/122/1 and2 Saidabad Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the Respondent Nos. 1 and 2 herein in not taking any action against the 3rd respondent pursuant to the representation dt.6.4.2004 submitted by the petitioner requesting to prevent the 3rd respondent from making illegal construction duly encroaching the Municipal Road as illegal, arbitrary, unjust and contrary to the provisions of H.M.C Act and to grant such other relief or relieves .

Counsel for the Petitioner: MR.VOOSA.RAGHU

Counsel for the Respondent Nos1 and 2.: MR.RAMA RAO GANTA

Counsel for the respondent NO.3 : None

The Court made the following :

ORDER:

Heard the learned counsel for the petitioner and Sri Ghanta Rama Rao, standing counsel for the respondent – Municipal Corporation and with their consent the writ petition is disposed of at the stage of admission.

It is the case of the petitioner, who is the owner of the House No.16-2-752/122/1&2 (C-44), SBH Colony, Saidabad, Hyderabad, that the 3rd respondent is making illegal constructions in front of his house by encroaching the public road, which will cause inconvenience to the public and his representations dated 16-4-2004 and 19-4-2004 in this regard to the respondents remained unattended. Hence this writ petition.

Having regard to the fact that the respondents 1 and 2 have not initiated any action on the representations filed by the petitioner with regard to the encroachment of the public road, it is suffice to direct the respondents 1 and 2 to pass appropriate orders on the representations of the petitioner dated 16-4-2004 and 19-4-2004 after giving notice to the interested parties.

The writ petition is accordingly disposed of. No costs.

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15-7-2004

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To

1 The Commissioner, Municipal Corporation of Hyderabad TankBund Road, Hyderabad.
2 The Deputy Commissioner, Municipal Corporation of Hyderabad,

SardarMahal,Charminar,Hyderabad.
3. Two C.D. copies